

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

Andrew McLaughlin,

Plaintiff,

V.

Carlton Reginald Lee and The Mahoney
Group, Inc.,

Defendants.

CASE NO.: 5:25-cv-7045-SAL

DEFENDANTS'
MOTION TO TRANSFER VENUE
TO THE FLORENCE DIVISION

TO: THE UNITED STATES DISTRICT COURT

YOU WILL PLEASE TAKE NOTICE that the undersigned, as attorney for the Defendants, will move before the Presiding Judge of the District of South Carolina, Orangeburg Division, Courthouse at 10:00 a.m. on the 10th day after service hereof or as soon thereafter as possible for an Order transferring venue in this case from the Division of Orangeburg of the District of South Carolina to the Division of Florence of the District of South Carolina.

The Plaintiff originally filed this action in the Court of Common Pleas of Orangeburg County, South Carolina. The Defendants filed a notice of removal to federal court on the basis of diversity of citizenship of the parties pursuant to 28 U.S.C. §1332. The case was removed to the Orangeburg Division of the District of South Carolina because the original lawsuit was filed in State Court in Orangeburg County, which is within the Orangeburg Division.

The grounds for this Motion are that in a case removed from State Court, the Defendants have a right to choose the division of the District of South Carolina that should handle the federal case

pursuant to 28 U.S.C. §1332 and Local Civil Rule 3.01. Local Civil Rule 3.01(A)(1) allows the venue for the division of the federal case to be where a substantial part of the events or omissions giving rise to the claim occurred. As outlined in the Plaintiff's Complaint, the motor vehicle accident involving the parties giving rise to this lawsuit occurred in Dillon County, South Carolina, which is within the Florence Division of the District of South Carolina.

Therefore, this case should be transferred to the Florence Division of the District of South Carolina pursuant to 28 U.S.C. §1332 and Local Civil Rule 3.01.

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Columbia, South Carolina
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